

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

OBERMAYER REBMANN MAXWELL & HIPPEL LLP

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Counsel for Third Party Defendant, Phoenix Administrators, LLC d/b/a Performance Health

Solomon Schechter Day School of
Berger County and Sinai Special Needs
Institute, Inc.

Plaintiffs,

v.

C&A Benefits Group LLC d/b/a C&A
Benefits Group and Business Services

Defendant.

And

C&A Benefits Group, LLC d/b/a C&A
Benefits Group and Business Services,

Third Party Plaintiff,

v.

Phoenix Administrators, LLC d/b/a
Performance Health,

Third Party Defendant

CIVIL ACTION

No.: 2:20-cv-01122-WJM-MF

**APPLICATION FOR EXTENSION
TO FILE RESPONSIVE
PLEADINGS PURSUANT TO
LOCAL RULE OF CIVIL
PROCEDURE 6.1 UNTIL
NOVEMBER 12, 2020**

Defendant Phoenix Administrators, LLC d/b/a Performance Health, (“Phoenix”), by its undersigned counsel, hereby requests the entry of an Order extending the time Phoenix may plead to Plaintiffs’ Counterclaim, and in support says as follows:

1. On October 8, 2020, Plaintiffs filed and served a counterclaim against Phoenix.
2. According to the Federal Rules of Civil Procedure, Phoenix’s reply to the Counterclaim is due to be filed by October 29, 2020.
3. Phoenix seeks a 14-day extension pursuant to Local Rule of Civil Procedure 6.1(b), which would make the new extended deadline for filing responsive pleadings November 12, 2020.
4. Phoenix has requested and received a previous extension of time to answer a Third-Party Complaint filed by Defendant C&A Benefits Group.

WHEREFORE, Phoenix requests that the Clerk enter the attached form of Order extending the time for Phoenix to file a responsive pleading to the Plaintiffs’ Counterclaim until November 12, 2020.

Respectfully submitted,

OBERMAYER REBMANN MAXWELL & HIPPEL LLP

/s/Joshua B. Kaplan

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**CLERK'S ORDER GRANTING
PHOENIX ADMINISTRATORS,
LLC D/B/A PERFORMANCE
HEALTH'S APPLICATION FOR A
14-DAY EXTENSION OF TIME TO
ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S
COUNTERCLAIM**

Upon consideration of the Application for Extension of Time to File Responsive Pleadings Pursuant to Local Rule 6.1 filed on behalf of Third Party Defendant, Phoenix Administrators, LLC d/b/a Performance Health:

IT IS HEREBY ORDERED this ____ day of October 2020, that said Application is **GRANTED**, and Third Party Defendant, Phoenix Administrators, LLC d/b/a Performance Health, is hereby granted an extension of time, until and including November 12, 2020, within which to file responsive pleadings with a full reservation of rights pursuant to Rule 6.1(b) of the Local Civil Rules of the United States District Court for the District of New Jersey.

CLERK

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CERTIFICATE OF SERVICE

I hereby certify that on the date below I electronically filed this Application for Extension of Time to File Responsive Pleadings, pursuant to Local Rule of Civil Procedure 6.1(b), with the Clerk of Court and all counsel of record using the CM/ECF system.

/s/ Joshua Kaplan

Joshua Kaplan, Esq.

Dated: October 28, 2020